

PATENT

Serial No. 10/565,931

Amendment in Reply to Final Office Action of October 8, 2008

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 8, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

Claims 1-3 and 5 remain in this application, where claim 4 had been canceled. Claim 1 is independent.

In the Final Office Action, claims 1-3 and 5 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,577,324 (Tanaka) in view of U.S. Patent No. 3,213,536 (Futterer). It is respectfully submitted that claims 1-3 and 5 are patentable over Tanaka and Futterer for at least the following reasons.

Tanaka is directed to an electric shaver having a shaver head that can be changed in its orientation so as to conform to the facial configuration. As correctly noted by the Examiner on page 2, item 5 of the Final Office Action, Tanaka does not disclose or

suggest reversing rotation of anything. Futterer is cited in an attempt to remedy the deficiencies in Tanaka.

Futterer is directed to dry shaver having two cutters. A shaft is selectively rotated in either direction. The shaft is rotatable in one direction for driving the first cutter (for short hair cutting) and is rotatable in the opposite direction for driving the second cutter (for long hair cutting).

It is respectfully submitted that the Tanaka and Futterer, alone or in combination, do not teach or suggest the present invention as recited in independent claim 1, which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the drive structure has transmission ratios for driving the trimmer with a number of cycles per unit time and for driving the at least one cutter of the at least one shaving head with a number of revolutions per unit time, such that said number of cycles per unit time of the driven trimmer is higher than said number of revolutions per unit time of the at least one driven cutter.

These features are nowhere disclosed or suggested in Tanaka, Futterer, and combination thereof. Rather, at best, the combination of Tanaka and Futterer disclose a shaver with gears, as disclosed in Tanaka and recited in page 4, first paragraph of the

Final Office Action, where such a shaver has two cutters rotatable in opposite direction, as disclosed by Futterer. Such a combination still does not disclose or suggest "that said number of trimmer cycles per unit time of the driven trimmer is higher than said number of cutter revolutions per unit time of the at least one driven cutter," as recited in independent claim 1.

(Illustrative emphasis provided).

Page 4, paragraph one of the Final Office Action notes that Tanaka discloses gears that slow down the cutter with respect to the motor. However, speeds related to cutter and motor has nothing to do with speeds related to a cutter and a trimmer. Having different motor and cutter speeds simply does not disclose or suggest having trimmer cycles be higher than cutter revolutions, as recited in independent claim 1.

Accordingly, it is respectfully requested that independent claim 1 be allowed. In addition, it is respectfully submitted that claim 2-3 and 5 should also be allowed at least based on its dependence from independent claim 1.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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